

UNITED STATES DISTRICT COURT

for the
Northern District of Indiana

EUGENE SCALIA,
Secretary of Labor, United States
Department of Labor

Plaintiff

v.

Civil Action No. 1:20-CV-188-HAB

EAGLE FENCE II, INC and
RUSTY DENHAM, individually

Defendants

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff _____
recover from the defendant _____ the amount of _____
_____ dollars \$_____, which includes prejudgment interest at the rate of _____% plus post-
judgment interest at the rate of _____ % along with costs.

☐ the plaintiff recover nothing, the action is dismissed on the merits, and the defendant _____
recover costs from the plaintiff _____.

☒ Other: Pursuant to Section 17 of the FLSA, Defendants Eagle Fence II, Inc and Rusty Denham, their officers, agents, servants, and all persons acting or claiming to act on their behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of sections 7, 11(c), 15(a)(2), 15(a)(3), and 15(a)(5) of the FLSA as outlined in the Consent Order and Judgment. Judgment is ENTERED pursuant to section 16(c) of the Act, in favor of Plaintiff Secretary of Labor, United States Department of Labor, and against Defendants Eagle Fence II, Inc and Rusty Denham in the total amount of six thousand two hundred dollars and 00/100 cents (\$6,200.00) as outlined in the Consent Order and Judgment. Judgment is ENTERED pursuant to section 16(e)(2) of the Act, in favor of Plaintiff Secretary of Labor, United States Department of Labor, and against Defendants Eagle Fence II, Inc and Rusty Denham in the total amount of three thousand five hundred eighty-five dollars and 00/100 cents (\$3,585.00), which represents Civil Money Penalties as outlined in the Consent Order and Judgment. Post judgment interest at the rate of 2.94%. Each party shall bear their own costs, fees and other expenses incurred by such party in connection with any stage of this proceeding, but not limited to, attorney fees which may be available under the Equal Access to Justice Act, as amended.

This action was (*check one*):

☐ tried to a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was

reached.

X decided by Judge Holly A. Brady on a Motion to Approve Consent Order and Judgment filed by Plaintiff.

DATE: June 24, 2022

GARY T. BELL, CLERK OF COURT

by s/ A. Durnell
Signature of Clerk or Deputy Clerk